

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3178
)	
v.)	
)	MEMORANDUM AND ORDER
LATRAIL L. TAYLOR,)	
)	
Defendant.)	

On September 16, 2010, the defendant moved to continue his trial, (filing no. [134](#)), which was scheduled to commence on September 20, 2010. To provide immediate notice to all parties and the trial judge, a text order was entered on September 16, 2010 which continued the trial to November 1, 2010 and excluded the time between September 16, 2010 and November 1, 2010 for Speedy Trial Act purposes. However, due to computer difficulties, the undersigned magistrate judge was unable to create a written order explaining why the time to trial should be excluded under the Speedy Trial Act. This memorandum and order supplements the text order entered yesterday.

New counsel was recently appointed to represent the defendant, and defendant's new counsel entered his appearance for the defendant on September 15, 2010. Defense counsel and the defendant therefore need additional time to review this case together and prepare for trial.

Accordingly,

- 1) The trial of this case is set to commence before the district judge at 9:00 a.m. on November 1, 2010 for a duration of five trial days. Jury selection will be at the commencement of trial.

- 2) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds the ends of justice will be served by continuing the trial; and the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between September 16, 2010 and November 1, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

Dates this 17th day of September, 2010.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge